

## **EXHIBIT D**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

HY-KO PRODUCTS COMPANY,

Plaintiff,

v.

THE HILLMAN GROUP, INC.,

Defendant.

CIVIL ACTION NO.  
5:08-CV-1961 (Dowd)  
Judge Dowd

**DEFENDANT'S FIRST SET OF REQUESTS  
FOR INSPECTION TO PLAINTIFF**

Pursuant to Rule 34 of the Federal Rules of Civil Procedure, Defendant The Hillman Group, Inc. ("Hillman") hereby serves its First Set of Requests for Inspection to Plaintiff Hy-Ko Products Company ("Hy-Ko") and requests to enter upon all premises owned, controlled or operated by Hy-Ko, on March 25, 2009, or a date to be agreed upon, for the purpose of inspection as set forth in the following requests.

**DEFINITIONS AND INSTRUCTIONS**

The following definitions and instructions apply to all of Hillman' discovery requests:

1. The terms "Hy-Ko," "plaintiff," and "you" refer to Hy-Ko Products Company, its officers, directors, employees, agents, partners, licensees, franchisees, corporate parents, subsidiaries, related companies, affiliates, and/or any predecessor or successor.
2. The terms "Hillman," and "defendant," refer to The Hillman Group, Inc.

3. The terms "each" means and refers to "each and every," "all" means and includes "any and all," and "any" means and includes "any and all."
4. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery requests all responses that might otherwise be construed to be outside its scope.

### **REQUESTS**

#### **REQUEST FOR INSPECTION NO. 1**

Hy-Ko is requested to permit Hillman and/or its designated representatives entry upon all premises owned, controlled and/or operated by or for Hy-Ko at which Hy-Ko Key-Cutting Machines, styled as model KZA-100, are presently located, for the following purposes:

1. To inspect, measure, photograph, and/or videotape each Hy-Ko Key-Cutting Machine, styled as model KZA-100, including while in operation;
2. To inspect, measure, photograph, and/or videotape keys made using one or more Hy-Ko Key-Cutting Machine, styled as model KZA-100;
3. To temporarily disassemble each Hy-Ko Key-Cutting Machine, styled as model KZA-100, and inspect, measure, photograph, and/or videotape the internal workings of each Hy-Ko Key-Cutting Machine, styled as model KZA-100 during its operation; and
4. To operate each Hy-Ko Key-Cutting Machine, styled as model KZA-100, to cut keys.

#### **REQUEST FOR INSPECTION NO. 2**

Hy-Ko is requested to permit Hillman and/or its designated representatives entry upon all premises owned, controlled and/or operated by or for Hy-Ko at which Hy-Ko Key-Cutting Machines, styled as model KZA-200, are presently located, for the following purposes:

1. To inspect, measure, photograph, and/or videotape each Hy-Ko Key-Cutting Machine, styled as model KZA-200, including while in operation;
2. To inspect, measure, photograph, and/or videotape keys made using one or more Hy-Ko Key-Cutting Machine, styled as model KZA-200;
3. To temporarily disassemble each Hy-Ko Key-Cutting Machine, styled as model KZA-200, and inspect, measure, photograph, and/or videotape the internal workings of each Hy-Ko Key-Cutting Machine, styled as model KZA-200 during its operation; and
4. To operate each Hy-Ko Key-Cutting Machine, styled as model KZA-200, to cut keys.

**REQUEST FOR INSPECTION NO. 3**

Hy-Ko is requested to permit Hillman and/or its designated representatives entry upon all premises owned, controlled and/or operated by or for Hy-Ko at which Key-Cutting Machines including on-going modification(s) to Hy-Ko Key-Cutting Machines, styled as models KZA-100 or KZA-200, are presently located, for the following purposes:

1. To inspect, measure, photograph, and/or videotape each Key-Cutting Machine including on-going modification(s) to Hy-Ko Key-Cutting Machines, styled as models KZA-100 and KZA-200, including while in operation;
2. To inspect, measure, photograph, and/or videotape keys made using one or more Key-Cutting Machines including on-going modification(s) to Hy-Ko Key-Cutting Machines, styled as models KZA-100 and KZA-200;
3. To temporarily disassemble each Hy-Ko Key-Cutting Machine, styled as models KZA-100 and KZA-200, and inspect, measure, photograph, and/or videotape the internal workings of each Hy-Ko Key-Cutting Machine, styled as models KZA-100 and KZA-200 during its operation; and
4. To operate each Hy-Ko Key-Cutting Machine, styled as models KZA-100 and KZA-200, to cut keys.

Dated: February 13, 2009

Respectfully submitted,

/s/ Judy W. Chung

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing DEFENDANT'S FIRST SET OF REQUESTS FOR INSPECTION TO PLAINTIFF was served on Hy-Ko this 13th day of February, 2009, by emailing and by mailing a true copy thereof via First Class U.S. Mail, postage prepaid, addressed to the following:

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